

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
April 4, 2000

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:02 p.m., Tuesday, April 4, 2000, in the Board Room, York Hall, by Chairman Walter C. Zaremba.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Melanie L. Rapp.

Also in attendance were Daniel M. Stuck, County Administrator; and James E. Barnett, County Attorney.

Invocation. Dr. Richard D. Harrell, Seaford Baptist Church, led the invocation.

Pledge of Allegiance to the Flag of the United States of America. Miss Rapp led the Pledge of Allegiance.

PRESENTATIONS

INTRODUCTION OF NEW MEMBERS TO YORK COUNTY BOARDS AND COMMISSIONS

Vice Chairman Burgett welcomed and introduced the following newly appointed members to the York County Historical Committee and presented them with their Boards and Commissions Handbooks and York County pins:

Joseph A. Roszkowski
David J. Meredith

Richard P. Long (Associate)
Carol R. Meredith (Associate)
Jerry R. Karwac (Associate)

NEIGHBORHOODS OF THE YEAR

Mr. Wiggins indicated that three York County communities won awards out of 30 on the Peninsula.

Mrs. Noll noted that it was Brandywine's second award.

Vice Chairman Burgett presented representatives of the following communities with signs stating their status as "Neighborhood of the Year":

Brandywine
York Point
Jacobs Springs

CLEAN BUSINESS AWARDS

Ms. Laurie Halperin, Beautification Coordinator, presented a short video showing the three locations achieving the Clean Business Award for the 2nd quarter of 2000. Chairman Zaremba then presented representatives of the following businesses with a plaque in recognition of their achievement:

Upper County:	The Greener Side
Middle County:	Yorktown Flower Shoppe
Lower County:	Marriott Courtyard Hotel

STATUS OF THE KING WILLIAM RESERVOIR PROJECT

Mr. David Morris, Newport News Waterworks, provided the Board members with an update on the King William Reservoir Project. He discussed the history depicting the region's water supply and how the region has dealt with the increased demand. He then described the proposed project. He spoke of where the water comes from naturally and the problems encountered in order to manage it. At present the only river that serves the area is the Chickahominy, and it is felt that there is a need to draw water from the Mattaponi into a reservoir. Mr. Morris then briefly addressed the issue of the effects of such a reservoir on the Native American Indians living in the area. He then discussed the permitting process through the Corps of Engineers, indicating the project had received a state permit in December of 1997, and the project is now awaiting federal action. He explained that another water needs study was being conducted in order to update the numbers and estimates because the current figures are 10 years old. He also noted that the State would be providing the guidelines for the study, and completion should be by November 1, 2000. The information from this study will be forwarded to the Corps of Engineers in New York for a decision, and it is estimated that the final recommendation and comments will be made by this time next year. Mr. Morris stated Newport News was working cooperatively among the communities to share resources and complete a report to the elected officials on how the current water supply can be stretched to 2014.

Mr. Wiggins stated if the permit is obtained, Newport News will supply water not only to Newport News, Hampton, and York County, but also to New Kent and King William Counties.

Mr. Morris indicated that Mr. Wiggins was correct.

Mr. Wiggins stated his hope that the Williamsburg area would be served by Newport News at some point because the water quality there is so bad. He indicated that the fact that the project is critical to and would serve so many localities is not well known, and more emphasis needed to be made on that fact.

Mr. Morris noted his agreement, stating the goal is to work out a win/win scenario for the communities involved.

Miss Rapp asked what other ways was Newport News looking to provide water if the Corps of Engineers was to deny the permit.

Mr. Morris stated his office was trying to develop a long-term plan so that it would not have to deal with case-by-case crisis situations. He noted the Waterworks looked at 36 alternatives, and the King William alternative was the only solution.

Miss Rapp indicated it was her understanding that King William County no longer supports the project.

Mr. Morris stated King William has a newly elected Board of Supervisors, and they have not yet had an opportunity as a board to make a decision concerning the project. He noted there is a current contract in effect with King William. He stated there are a lot of concern as to how the citizens in King William feel about the project, and one of the problems is that there is not enough information given to the citizens.

CITIZENS COMMENT PERIOD

Mrs. Dreama S. Willett, 116 Anchor Lane, indicated that just prior to purchasing property on Whites Road, she and her husband found out that the water connection fee had not been paid and that the connection fee was now \$5,000. She stated that without sewer service the lot is virtually unusable, and she requested that the County allow them to pay the original \$2,700 connection fee because the value of the property will automatically increase.

Mrs. Juliette B. Mitchell, 125 Three Notched Road, representing the Board of Directors of Grafton Woods subdivision, stated that the residents of Grafton Woods are concerned about a safety issue dealing with the drainage ditch running off of Grafton Drive. She stated the easement runs behind Grafton Woods' homes, and the runoff from Grafton Drive feeds into the ditch that ends in an open ditch containing large pieces of concrete and riprapp. Mrs. Mitchell stated the residents

are concerned that a child will drown in the ditch. She indicated the Grafton Woods residents have expressed their concerns to VDOT, and the Board of Directors has requested that VDOT pipe and backfill the ditch. VDOT has stated that the cost of such a project would be prohibitive at \$27,000. Mrs. Mitchell stated an independent contractor had given the Board of Directors an estimate of \$20,000, and the residents of Grafton Woods request that the Board of Supervisors authorize additional funds to correct this safety problem.

Ms. Colleen Brogan, 124 Barn Swallow Ridge, President of the Grafton Woods Homeowners' Association, stated all the residents concur with Mrs. Mitchell's assessment of the drainage ditch and its hazardous condition. She stated the homeowners' association requests that the Board of Supervisors help in funding the correction of this problem. She also thanked Mr. Wiggins for going out to look at the ditch, and she thanked all the Board members for their consideration of this situation.

Ms. Brenda Bowman, 109 York Point Drive, appeared to asked the Board's consideration concerning the development of an ordinance to provide tax relief to individuals who have improved their property through certain erosion control improvements. She stated Mr. Barnett has indicated that no such ordinance has been addressed by York County, and he would look at other jurisdictions for a model. She asked that the Board consider this matter by directing Financial and Management Services to show a fiscal impact of such an action.

Mr. Clyde L. Jonas, 115 River Point Drive, spoke about the Board getting involved with the hiring of department directors, stating the Board should let the County Administrator do his job and hold him accountable for what he does. He stated the Board's time would be much better spent on other matters.

Mr. Donald Phillips, 200 Dogwood Court, addressed the Board concerning the King William Reservoir project. He stated that for the first time in history the Corps of Engineers has indicated it will deny a public water project. The Norfolk Commander's decision will be reviewed in New York, and the Environmental Protection Agency (EPA) is still waiting in the wings, and he stated he feels the EPA won't say anything until the Corps of Engineers makes its decision. Mr. Phillips stated he feels there is plenty of water for Newport News to commit service to the upper part of York County through the year 2040 and that a lot of wasted money has been spent fighting this decision when there is already an adequate water supply. He stated that since 1991 water use has not increased.

Mrs. Linda Sotack, 100 Hillburne Lane, spoke concerning the proposal for an executive personnel committee, stating she had heard many comments against such a proposal and she hoped that those individuals would share their comments with the Board members. She stated she felt the County Administrator did a superb job, and the County is in good shape because he has been the County Administrator for the past 12 years.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett briefed the Board members on the status of Senate Bill 414 concerning photo monitoring of traffic intersections. He stated the bill passed with amendments that would have added York County by population, but the Governor has not yet acted on it and is wavering. He suggested that the Board members might want to consider writing to the Governor at this time. He then mentioned that he and Mrs. Hook would be attending the Local Government Attorney's Conference in Alexandria on Thursday and Friday.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. Stuck indicated that the Board members had been provided with new Mission Statement/Goals cards, stating they will be distributed to all employees so that they are aware of what the Board feels is important during its term. He stated staff had also provided the Board with a draft work session schedule for the balance of the year. All of the issues which staff believes will come up through the end of this calendar year were included, and he noted that the time for the work sessions scheduled for Tuesdays has been changed to 6:30 p.m. He asked that the Board members take a look at the schedule and let him know before the next meeting if they feel it is acceptable. Mr. Stuck then informed the Board members that at their next meeting they would

be receiving a significant briefing document on items that would be coming up on future work sessions so that they could review the material at their leisure.

MATTERS PRESENTED BY THE BOARD

Miss Rapp thanked Teresa Williams, George Garrett, and Maywood Wilson of District 5 who served on her budget committee.

Mr. Wiggins spoke of his goals as a member of the Board. He stated the County has a tremendous problem with Route 17 traffic, tremendous drainage problems, and something must be done about them. He stated the County has young people who have no place for recreational facilities, and the Industrial Development Authority needs overhauling in order to get more industry in York County. For this to happen, Mr. Wiggins stated the Supervisors need to take charge of citizen committees to work on these problems. The citizens have great suggestions, and many people want to help. There is a tremendous amount of talent in the County, and he stated he would like to have the Chairman of the Board select a committee on drainage and get started on some of these problems.

Mrs. Noll noted that last Wednesday she attended Capitol Hill day in Washington which was sponsored by the Government Research and Technology Advisory Committee. She stated that presentations were made concerning the need for the state's universities becoming stronger in the research and technology area. She noted that no Virginia university was ranked in the top ten in research. She stated the Governor has established a \$26 million fund for research and technology infrastructure, and there is the need to enlist the aid of not only York County citizens but also the help of the Virginia legislative delegation. She noted that specific ways to support this initiative are to support the President's FY2001 budget for increased science and technology funding, increases in the defense research accounts, and support the increase for the NASA Langley Research Center's budget. Mrs. Noll stated it was imperative that people are made aware of the importance of research to the country.

Mr. Burgett noted that at the last work session he brought up an idea for discussion to generate thoughts how the Board might better serve the citizens by looking at the hiring practices of the County's department directors. He stated it seemed like a reasonable topic to him, and he expected a dialog to look at the idea objectively with free discussion. He indicated he had anticipated a dogmatic response from some, but the local newspapers killed any hope of constructive dialog by choosing to portray Mr. Wiggins and him rudely and in the worst possible light. Mr. Burgett stated he personally had 6 negative responses and 21 positive responses, and he will continue to express ideas for better serving the citizens.

Chairman Zaremba stated his platform for running for the Board of Supervisors was based on his pledge to the citizens to do what he could to work with the Board and staff to improve the accountability and responsiveness to the citizens of the County. Once elected, the Board members look at areas of the County to see where improvements can be made in order to serve the citizens better. He stated the citizens will see a lot of ideas during this next four years, and the citizens will have an opportunity to weigh each of them. He stated it is the Board's duty to get out and be a part of the debate, and the Board only wants to make decisions that are in the best interest of the citizens.

Meeting Recessed. At 8:13 p.m. Chairman Zaremba declared a short recess.

Meeting Reconvened. At 8:24 p.m. the meeting was reconvened in open session by order of the Chair.

PUBLIC HEARING

TOWER LEASE AGREEMENT

Mr. Stuck briefly explained the purpose of proposed Resolution R00-51 to authorize the execution of a tower lease agreement with Triton PCS Property Company, L.L.C., for tower space on the York High School tower.

April 4, 2000

Chairman Zaremba called to order a public hearing on proposed Resolution R00-51 that was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A TOWER LEASE AGREEMENT WITH TRITON PCS
PROPERTY COMPANY L.L.C., FOR TOWER SPACE ON THE YORK
HIGH SCHOOL TOWER

There being no one present who wished to speak concerning the proposed resolution, Chairman Zaremba closed the public hearing.

Mr. Wiggins asked how many people are leasing space from the County on this tower.

Mr. Terry Hall, Emergency Communications Manager, indicated there were four paging companies and two PCS companies.

Mr. Wiggins asked what the maintenance was on the tower per year.

Mr. Hall indicated the County pays \$100 per month for maintenance. He also noted that because of the leasings there have been three stress analyses done on the tower in the last four years.

Mr. Wiggins stated he felt the lease sounded like a good deal.

Mrs. Noll stated the program to co-locate on County communications towers was put in place during the last Board's term. These agreements have become standard.

Chairman Zaremba asked how many York County towers had renters on them.

Mr. Hall stated there are two main towers at York High School and at Fire Station #2. The remainder are on school property and at other fire stations.

Mrs. Noll moved the adoption of proposed Resolution R99-51 that reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A TOWER LEASE AGREEMENT WITH TRITON PCS
PROPERTY COMPANY L.L.C., FOR TOWER SPACE ON THE YORK
HIGH SCHOOL TOWER

WHEREAS, the Board owns a radio telecommunications tower adjacent to York High School, and has entered into a long term lease with the York County School Division for ground space surrounding the tower; and

WHEREAS, Triton PCS Property Company L.L.C. ("Triton"), desires to enter into a tower lease agreement with the Board in order to lease space on the tower at the 240' elevation, together with property on the ground immediately adjacent to the tower for the purpose of constructing an equipment shed and related improvements; and

WHEREAS, the tower lease agreement proposed by Triton would benefit the public through the realization of tower rental fees and by reducing the need for the erection of additional communications towers within the County; and

WHEREAS, this matter has been advertised for public hearing pursuant to Virginia Code § 15.2-1800, and this Board has determined that the proposed lease agreement will benefit the public.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator be, and he hereby is, authorized to execute a tower lease agreement with Triton, such agreement to be approved as to form by the County Attorney, whereby the Board shall lease to Triton, tower space at the 240' elevation level of the York High School tower, together with approximately 136 sq. ft. on the ground immediately adjacent to the tower for the erection thereon of an equipment shed and related improvements, such lease to be for an initial term of five (5) years, with automatic renewals for four (4) additional renewal periods of five (5) years each, with annual rent during the initial term set at \$20,000, increased thereafter during each subsequent renewal term by fifteen percent

(15%), such lease agreement to be substantially similar to the draft tower lease agreement attached to the County Administrator's report to the Board dated March 20, 2000.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Burgett, Rapp, Zaremba
Nay: (0)

MATTERS PRESENTED BY THE BOARD (Continued)

INTERACTION GUIDELINES

Mr. Stuck briefly explained that at its retreat held in early February the Board discussed a number of issues, and they talked about interpersonal relationships between the Board members and ways they could show respect to each other. At the end of the retreat, the Board asked staff to pull it all together and provide them with a draft of what they had discussed. He stated that staff tried to capture the issues discussed, and they were presented to the Board members several weeks ago. During the retreat, the Board discussed some sort of commitment to one another by signing such a document. Mr. Stuck stated there was also some discussion about the County Administrator being a party to signing such a document.

Miss Rapp stated she supported version #1 that had been presented to the Board. She indicated the guidelines were very important to her because she felt the Board needed to do a good job of respecting each other in front of the public. She stated things are done when the Board is in open session, and she feels things change when the Board is in a closed meeting. She stated she was used to stressful situations, but not to an environment where there was no spirit of respect. She then reviewed for the public the nine points included in the guidelines. She stated that at the Board's work session on February 23 Mr. Jack Edwards had spoken with the Board concerning the Board's interaction, and he stated the public was interested in whether or not the Board members appeared to respect each other. Miss Rapp stated she was learning that the Board members can disagree agreeably, and that they have to practice what they preach.

Mr. Wiggins stated he felt the Board members were ladies and gentlemen. He stated there were two retired military officers on the Board, and he has been on boards and committees and has been chairman of organizations, and he has never had a problem getting along with people. He indicated there are times when the Board members disagreed and would be passionate about what they were feeling, and mistakes might be made. He stated he did not feel he had to sign a document outlining the things the Board members were already doing or to prove that he intended to try harder.

Mrs. Noll stated it all goes back to the Golden Rule, and that the guidelines are a reminder that they are good rules of conduct for the Board to follow. She stated she was perfectly happy to sign the guidelines. She stated she and Mr. Zaremba argue back and forth, and at times enjoy it, but she agreed they needed to be more careful. Mrs. Noll indicated the Board can disagree agreeably, and they all need to practice it.

Mr. Burgett expressed his agreement with Mrs. Noll that living by the Golden Rule was the best way, but he noted that he did not have to sign a copy of that in order to live by it. He stated the guidelines were great, but he did not remember at the retreat asking that they be drafted for signature. No previous Board has had to sign such a document, and he did not see those members as any better than the present members of the Board.

Chairman Zaremba stated the only issue here was a signature on a piece of paper. He stated he learned basic respect from his parents and from 33 years in the military, and he never had to sign a set of rules. He stated attorneys have the professional rules of conduct that all licensed attorneys in Virginia must subscribe to, and they do not have to be signed. Mr. Zaremba stated if the citizens of the County don't like the way he conducts himself, the citizens can remove him from office. The Board has a set of Rules of Procedure that dictates its conduct during meetings. He suggested that perhaps the Board members had not done a very good job abiding by those rules, and they even brought in an expert on conducting meetings who counseled the Board members on how they might be able to improve their dialog and interaction with one another. He stated he did not need to sign the set of guidelines. From time to time emotions will be shown, but it doesn't mean that the Board members do not respect one another.

Miss Rapp stated she had thought that this Board was going to go where no other Board had gone before. She stated when she signed something, it is written on her heart. The Declaration of Independence was signed because those men meant what they believed, and she stated she has a problem with total disrespect. Miss Rapp indicated she would speak out more and would call the other Board members out when she felt something had occurred that was not according to their pledge to respect one another.

CONSENT CALENDAR

Chairman Zaremba asked that Item Nos. 4, 7, and 8 be removed from the Consent Calendar.

Mrs. Noll moved that the Consent Calendar be approved as amended, Item Nos. 3, 5, 6, and 9, respectively.

On roll call the vote was:

Yea: (5) Wiggins, Burgett, Rapp, Noll, Zaremba
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 3. APPROVAL OF MINUTES

The minutes of the following meetings of the Board of Supervisors were approved:

February 23, 2000, Adjourned Meeting
March 1, 2000, Regular Meeting
March 6, 2000, Adjourned Meeting

Item No. 5. APPROPRIATION OF FUNDS FOR THE VIRGINIA COMPREHENSIVE SERVICES ACT FOR AT-RISK YOUTH AND FAMILIES: Resolution R00-44

A RESOLUTION TO AUTHORIZE ADDITIONAL FUNDS FOR FISCAL YEAR 2000 FOR THE COSTS OF THE VIRGINIA COMPREHENSIVE SERVICES ACT FOR AT-RISK YOUTH AND FAMILIES PROGRAM

WHEREAS, the Comprehensive Services Act for At-Risk Youth and Families (CSA) was adopted by the Virginia General Assembly in 1992 and requires local government to provide certain services to troubled youth as defined by the Virginia Department of Social Services and the special education programs of the public school divisions; and

WHEREAS, in meeting all such requirements, the County of York does not provide any services that would be classified as discretionary under the Act, but rather provides only those services that are mandated by the CSA and serves only those youth and families that are defined by the Act as mandated populations; and

WHEREAS, additional appropriations of \$107,697 are required in the Virginia Public Assistance Fund to support the additional allocation received from the Commonwealth for the York-Poquoson Department of Social Services' share of the program; and

WHEREAS, it has been determined that an additional \$41,873 is necessary for the required local match and these funds are available from funds carried forward from Fiscal Year 1999; and

WHEREAS, these costs are not discretionary but rather are mandated by the Commonwealth, and it is therefore necessary to authorize additional funds for the payment of such expenses through the end of the current fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 4th day of April, 2000, that additional appropriations in the sum of \$107,697 for Fiscal Year 2000 be, and are hereby, made in the Virginia Public Assistance Fund for the operation of the York/Poquoson Department of Social Services for the Comprehensive Services Act.

BE IT FURTHER RESOLVED that \$41,873 be, and is hereby, appropriated in the General Fund for the local match for the Fiscal Year 2000 Comprehensive Services Act.

Item No. 6. REQUEST FOR REDUCED WATER CONNECTION FEE: Resolution R00-50

A RESOLUTION THAT DENIES THE REQUEST OF DREAMA S. WILLETT AND ROBERT E. WILLETT TO PAY THE REDUCED WATER CONNECTION FEE OF \$2,850 FOR 111 WHITES ROAD, TAX MAP #24H-01-OOOB-004

WHEREAS, Mr. and Mrs. Willett purchased the property located at 111 Whites Road on October 28, 1999; and

WHEREAS, Mr. and Mrs. Willett claim that they did not become aware of the \$5,000 water connection fee until signing the contract for the property; and

WHEREAS, Mr. and Mrs. Willett are requesting the Board of Supervisors permit them to pay the previous water connection of \$2,850; and

WHEREAS, Any such relief would be inequitable to many other property owners in the same situation who have paid the regular fee;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2000, that the Board deny Mrs. Willett's request that the water connection fee for 111 Whites Road, Tax Map #24H-01-000B-004 be reduced to \$2,850.

Item No. 9. WITHDRAWAL FROM THE REGIONAL DETENTION COMMISSION BY KING GEORGE COUNTY: Resolution R00-37

A RESOLUTION TO TRANSFER OF KING GEORGE COUNTY'S MEMBERSHIP FROM THE MIDDLE PENINSULA COMMISSION TO THE RAPPAHANNOCK COMMISSION

I. Recitals.

A. The Middle Peninsula Juvenile Detention Commission ("MPJDC") is a political subdivision of the Commonwealth of Virginia, created by joint action of the Counties of Caroline, Charles City, Essex, Gloucester, Hanover, James City, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, New Kent, Northumberland, Richmond, Westmoreland and York and the Cities of Poquoson and Williamsburg (collectively, the MPJDC Member Jurisdictions). MPJDC has financed and constructed and is operating the Merrimac Center, a juvenile detention facility located in James City County. All the MPJDC Member Jurisdictions have executed an agreement (the "MPJDC Service Agreement") detailing their respective rights and obligations concerning MPJDC. Under the MPJDC Service Agreement, the MPJDC Member Jurisdictions are obligated to send all of their juvenile offenders requiring secure detention to the Merrimac Center and to pay the per diem rates established by MPJDC for such detention. The MPJDC Service Agreement further provides that a Member Jurisdiction may not withdraw without the consent of the MPJDC and of each other Member Jurisdiction.

B. The Rappahannock Juvenile Detention Commission ("RJDC") was created by joint action of the City of Fredericksburg and the Counties of Greene, Louisa, Madison, Orange, Spotsylvania and Stafford (collectively, but not including Greene County, the "RJDC Member Jurisdictions") and currently operates a juvenile detention facility in Fredericksburg; however RJDC is constructing a replacement facility in Stafford County (the "New Rappahannock Center"). Greene County has elected not to sign the current agreement for the financing, construction and use of such replacement facility (the "RJDC Service Agreement") and will cease to participate in the RJDC once the New Rappahannock Center opens. Under the RJDC Service Agreement the remaining Member Jurisdictions will be obligated to send all of their juvenile offenders requiring secure detention to the New Rappahannock Center. The RJDC Service Agreement further provides that additional jurisdictions may join the RJDC with the unanimous consent of the other RJDC Member Jurisdictions.

C. Although King George County is currently an MPJDC Member Jurisdiction, it wishes to terminate its membership in MPJDC and join RJDC when the New Rappahannock Center is opened. By its adoption of this Resolution, King George County hereby requests MPJDC and RJDC and their respective Member Jurisdictions to approve such transfer of membership.

II. Resolution.

Be it Jointly RESOLVED by the Middle Peninsula Juvenile Detention Commission, the Rappahannock Juvenile Detention Commission, the Boards of Supervisors of Caroline, Charles City, Essex, Gloucester, Hanover, James City, King and Queen, King George, King William, Lancaster, Louisa, Madison, Mathews, Middlesex, New Kent, Northumberland, Orange, Richmond, Spotsylvania, Stafford, Westmoreland and York Counties and the City Councils of the Cities of Fredericksburg, Poquoson and Williamsburg, THAT:

A. This Resolution shall be effective January 1, 2001, or the date the New Rappahannock Center is Placed in Service and King George is formally accepted as a member of the RJDC, as that term is defined in the RJDC Service Agreement, whichever is later.

B. The MPJDC and the MPJDC Member Jurisdictions each approve the withdrawal of King George County from membership in MPJDC upon such effective date, and agree jointly to assume King George's future obligations and release King George from further liability thereunder, such to the following conditions.

1. King George shall have paid MPJDC all per diem and other charges for which it is then currently obligated under the MPJDC Service Agreement.
2. King George shall not be entitled to recover any capital contributions it has made to MPJDC through payment of MPJDC's per diem charges, or to assert any right of ownership in any property of MPJDC, or to participate in any future distribution of the proceeds of sale of any such property.
3. King George shall not be released from any liability it may otherwise have for any claim asserted by any detainee committed to the Merrimac Center by King George regardless of whether such claim arises before or after the effective date of King George's withdrawal from membership.
4. King George shall have deposited the sum of \$250,000, which amount has already been appropriated by the board of supervisors for such purpose with a financial institution mutually acceptable to King George and MPJDC, to be held in escrow to fund King George's potential liability for its share of MPJDC expenses for debt service and operations, in the event the annual average daily population of the Merrimac Center falls below 48, as follows:
 - a. The average daily occupancy of the Merrimac Center will be provided to the King George county administrator's office on a quarterly basis. Furthermore, all disputes regarding daily occupancy shall be made within 21 days of receipt of such quarterly reports, as provided in paragraph 4(c).
 - b. MPJDC shall be entitled to charge King George MPJDC's then-current per diem rate for a sufficient number of detainee days to raise the average daily population during each calendar year to 48, provided that in no event shall such charge exceed a maximum of 7.5% of MPJDC's expenses for operations and debt service (net of state reimbursements) during such calendar year. King George's annual share shall be calculated as follows:

Average Daily Population (ADP) - KG share = Revised ADP

Number of Beds - Revised ADP = Per Diem Variance

Per Diem Variance x Per Diem Rate x 365 days = Payment due from KG

- c. If MPJDC's director determines that such a charge is due for any quarter, she shall certify such fact to the county administrator of King George. Such certification shall include the data and calculations on which MPJDC bases its claim. The King George county administrator shall have 21 days after receipt of such certification to dispute the calculation of the charge. If no timely objection is received from the county administrator, the quarterly report will then be accepted for use in determining the average daily population for that calendar year. Upon completion of the calendar year, based on the four previously accepted quarterly reports (averaged annually), the escrow agent shall pay MPJDC from the escrow account.
 - d. If there is an objection, the King George county administrator and MPJDC's director shall meet to resolve the dispute, and may ask the escrow agent or some other third party to mediate within 21 days of receipt.
 - e. Every such quarterly certification shall be accompanied by evidence of good faith efforts on the part of MPJDC to find users for its excess beds. In the event King George is not satisfied that such good faith efforts have been made, it may instruct the escrow agent to reduce the payment to MPJDC by 20%. If there is a dispute over this provision it shall likewise be resolved by consultation or mediation, within 21 days of receipt.
 - f. Interest earned on the escrow account shall accrue to the account. Provided there are no pending disputed claims on the escrow account at that time, the unexpended balance in the account shall revert to King George on January 31, 2008, or sooner if mutually agreed by MPJDC and the King George County Board of Supervisors.
- C. RJDC and the RJDC Member Jurisdictions (which term does not include Greene County) each approve the entry of King George County into membership on the RJDC on the effective date of this Resolution, provided that King George executes a copy of the RJDC Service Agreement as then in effect and agrees to be bound by all terms and conditions of such Agreement.

Adopted by the York County Board of Supervisors, this 4th day of April, 2000.

Item No. 4. PURCHASE AUTHORIZATION: Proposed Resolution R00-45. (Removed from Consent Calendar)

Chairman Zarembo asked what the purpose was for the annual audit.

Mr. James O. McReynolds, Director of Financial and Management Services, indicated it was conducted to insure that the financial statements fairly represented the County's financial position, and the County has followed the proper rules of accounting and policies established by the Board.

Chairman Zarembo asked if the audit would identify any misappropriation of a fiscal nature.

Mr. McReynolds stated it would not guarantee that it would discover fraud 100 percent.

Chairman Zarembo asked if this kind of audit addressed whether or not the County's operations were as cost effective as they could be.

Mr. McReynolds indicated it would not.

Mr. Burgett asked when the audit was conducted.

Mr. McReynolds stated the preliminary work is done in May and June, and the auditors come back in September to begin the final audit work. He stated the audit was for the period beginning July 1, 1999, and ending June 30, 2000.

April 4, 2000

Chairman Zaremba moved the adoption of proposed Resolution R00-45 that reads:

A RESOLUTION TO CONDUCT THE NEXT ANNUAL FINANCIAL
AUDIT

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, that it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2000, that the County Administrator be, and hereby is, authorized to conclude procurement arrangements for the following:

Annual Financial Audit	<u>AMOUNT</u> \$45,600
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On roll call the vote was:

Yea:	(5)	Burgett, Rapp, Noll, Wiggins, Zaremba
Nay:	(0)	

Item Nos. 7 and 8. PUBLIC SEWER EXTENSION AGREEMENTS—DMJ TRUCKING AND THE GREENER SIDE: Proposed Resolution R00-43 and PORT MYERS SUBDIVISION: Proposed Resolution R00-42 (Removed from Consent Calendar)

Chairman Zaremba asked for a summary of what these two actions were about.

Mr. Brian Woodward, Chief Engineer, indicated the first one was two commercial properties that have agreed to go together and share a duplex grinder pump. The reason for the agreement is because the 6-inch line will be turned over to the County for operation.

Chairman Zaremba asked if there was any comparison between this hookup and what a homeowner has to pay.

Mr. Woodward stated the connection fee is based on the size of the meter needed for the business. They receive local facilities credits for having to install those facilities.

Chairman Zaremba asked if there was any impact to the County's Utilities Capital Plan because of these kinds of extension agreements being adopted.

Mr. Woodward indicated there was not.

Chairman Zaremba indicated he had the same questions for the Port Myers agreement. He asked if it negatively slowed down any programs the County has in order to extend sewer to the subdivisions.

Mr. Woodward indicated it did not. He stated it was revenue coming to the County without the County having to spend any funds whatsoever, and it actually helped the program move forward.

Chairman Zaremba moved the adoption of proposed Resolutions R00-43 and R00-42 that read:

Proposed Resolution R00-43:

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE
COUNTY'S SANITARY SEWER SYSTEM TO DMJ TRUCKING AND
TO THE GREENER SIDE, AND AUTHORIZING EXECUTION OF THE
NECESSARY PUBLIC SEWER EXTENSION AGREEMENT AND
GRINDER PUMP AGREEMENT

WHEREAS, T & S Associates, Inc. and Wiltshire, Inc. have requested that the County enter into a public sewer extension agreement and a grinder pump agreement pursuant to § 18.1-53 (b) of the York County Code to serve two commercial properties; and

WHEREAS, the plans for each proposed project has been reviewed by the County; and

WHEREAS, the gravity sewer lines constructed by the developers will be dedicated to the County for operation and maintenance; and

WHEREAS, the duplex grinder pump to be installed by the developers will be privately owned and maintained; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the public sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed developments, or will exist when the facilities proposed by the developers are constructed; and

WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$5,050.00;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2000, that the Board approves the extension of the County's public sewer system to serve DMJ Trucking and The Greener Side, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement and grinder pump agreement with T & S Associates, Inc. and Wiltshire Inc. for the proposed extension; such agreement to be approved as to form by the County Attorney.

Proposed Resolution R00-42:

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE
COUNTY'S SANITARY SEWER SYSTEM TO THE PROPOSED DE-
VELOPMENT, PORT MYERS, AND AUTHORIZING EXECUTION OF
THE NECESSARY PUBLIC SEWER EXTENSION AGREEMENT

WHEREAS, Port Myers, L.L.C. has requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve 47 new residential lots; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the public sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the developer are constructed; and

WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$88,125.00;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2000, that the Board approves the extension of the County's public sewer system to serve the proposed development, Port Myers, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Port Myers, L.L.C. for the proposed extension; such agreement to be approved as to form by the County Attorney.

On roll call the vote was:

Yea: (5) Rapp, Noll, Wiggins, Burgett, Zaremba
Nay: (0)

NEW BUSINESS

G-SQUARE, INC., PROPERTY CONDEMNATION MODIFICATION

Mr. Barnett briefly explained the purpose of proposed Resolution R00-49 to direct the acquisition of the subject property on Water Street in Yorktown by condemnation or other means and to amend Resolution R00-228 adopted December 1, 1999, to approve a more inclusive use that best incorporates the property into the overall scope and intent of the Yorktown Wharf Area Improvement Plan. He noted there has been discussion as to whether public parking was the only purpose for which the subject project would be used. He stated he felt it would be good for the Board to broaden its interest to use the property for a number of permissible public purposes.

Mr. Burgett moved the adoption of proposed Resolution R00-49 that reads:

A RESOLUTION DIRECTING THE ACQUISITION OF REAL PROPERTY BY CONDEMNATION, OR OTHER MEANS, AND APPROVING THE PROPOSED PUBLIC USE THEREFOR, AND AMENDING RESOLUTION R99-228 ADOPTED DECEMBER 1, 1999.

WHEREAS, the Board desires to purchase a parcel of real estate consisting of approximately 0.88 acres owned G-Square, Inc., and located at 400 Water Street in Yorktown, identified on the County's tax map as parcel 18 A-09-00-00A1; and

WHEREAS, the Board desires to incorporate the property into the proposed development of the Yorktown Waterfront as public parking, or as a public park or plaza or as a place for public assembly and activity, or such other public use as the Board may determine best incorporates the property into the overall scope and intent of the Yorktown Wharf Area Improvement Plan previously approved by this Board, for the benefit of individuals using the facilities at the Yorktown Waterfront or patronizing any of the businesses which may now or in the future be located at or adjacent to the waterfront; and

WHEREAS, on December 1, 1999, this Board adopted resolution R99-228 which authorized the acquisition of the property by condemnation or by other means, and in the resolution identified public parking as the only proposed public use for this property, and this Board now desires to approve a more inclusive public use as is stated in the preceding paragraph; and

WHEREAS, the Board deems that the acquisition of the property, and its utilization as stated, constitutes a valid public purpose necessitating the acquisition of the property; and

WHEREAS, the owner of the property has refused an offer made by the County Administrator, which offer is deemed by this Board to represent fair and adequate consideration for the parcel.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2000, that this Board does hereby modify and approve the proposed public use of the property as described above, and hereby modifies Resolution R99-228 to the extent inconsistent herewith.

BE IT FURTHER RESOLVED that this Board directs the County Administrator and the York County Attorney to take such actions as may be required to acquire the property for such public use by condemnation or by other means. The County Administrator and the County Attorney are hereby authorized, without limitation, to institute appropriate condemnation proceedings in the York County Circuit Court for condemnation of the property, or to amend any condemnation petitions previously filed in order to properly plead the proposed public use for the property as is set out herein, and to pay into the Court such amounts as may be determined to be the fair market value of the property together with any other damages or costs which the Court may assess, or to accept and record a deed from the owner in lieu of condemnation.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Burgett, Rapp, Zaremba
Nay: (0)

APPROVAL OF PROPOSED FY2001-2006 CAPITAL IMPROVEMENTS PROGRAM

Mr. Stuck indicated the first year of the six-year Capital Improvements Program (CIP) was incorporated into the Board's FY2001 budget, but the out-years were a long-range plan.

Chairman Zaremba asked how the citizens could review the CIP.

Mr. Stuck noted the CIP is on the web site and it is in the libraries, as well as in the Public Information Office and Department of Financial and Management Services.

Miss Rapp moved the adoption of proposed Resolution R00-33 that reads:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2001-2006 CAPITAL
IMPROVEMENTS PROGRAM AS A LONG-RANGE PLANNING DOCU-
MENT

WHEREAS, in consideration of materials received from the departments and agencies of the County and direction from the Board of Supervisors, the County Administrator has developed a proposed Fiscal Year 2001-2006 Capital Improvements Program; and

WHEREAS, the Capital Improvements Program serves as a long-range planning document subject each year to review and approval of funding by the Board of Supervisors; and

WHEREAS, such review has been completed for the Fiscal Year 2001-2006 Capital Improvements Program;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2000 that the County Administrator's proposed Fiscal Year 2001-2006 Capital Improvements Program be, and is hereby, adopted by the Board of Supervisors.

On roll call the vote was:

Yea: (5) Wiggins, Burgett, Rapp, Noll, Zaremba
Nay: (0)

APPROVAL OF THE FISCAL YEAR 2001 BUDGET AND CALENDAR YEAR 2000 TAX RATES

Mr. Stuck indicated the proposed ordinance contained the tax rates, which remain the same as last year. The proposed resolution established the budget for the next fiscal year. He stated that changes made by the Board were highlighted in the memorandum. Staff transferred \$104,000 into the Capital Reserve account for future capital projects.

Miss Rapp expressed her appreciation to Mr. McReynolds and his staff for their diligent work on the proposed budget.

Chairman Zaremba agreed with Miss Rapp, indicating the Board was proud of the proposed budget. He asked the Board to give thought to bring to a work session on what might be done to improve this process.

Mrs. Noll stated this was the fifth budget she has done, and every year it has been different and has gotten better and easier because of staff's effort.

Mr. Wiggins also thanked the School Board for its cooperation in working with the Board of Supervisors this year.

Mrs. Noll moved the adoption of proposed Resolution R00-32 that reads:

April 4, 2000

A RESOLUTION TO APPROVE THE BUDGETS AND APPROPRIATE
FUNDS FOR THE FISCAL YEAR BEGINNING JULY 1, 2000 AND
ENDING JUNE 30, 2001

WHEREAS, the County Administrator has submitted to the York County Board of Supervisors a proposed annual budget for the County for the fiscal year beginning July 1, 2000 and ending June 30, 2001, which has been reviewed by the Board of Supervisors; and

WHEREAS, it is necessary to adopt said budget and appropriate sufficient funds to cover the requirements included therein; and

WHEREAS, the Board of Supervisors, in exercising its independent judgment and in concert with the York County School Board, has considered the school's annual operating budget; and

WHEREAS, the educational budget submitted by the York County School Board for Fiscal Year 2001 contains estimated availability of funding from the federal government in the amount of \$8,131,477; from the state government in the amount of \$38,396,432; from the local appropriations in the amount of \$26,789,800 (including \$859,350 for continuation of the School Grounds Maintenance Agreement); and other local revenues in the amount of \$976,950.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2000, that the Fiscal Year 2001 annual budget of the York County School Division for school operations in the amount of \$74,294,659 be, and is hereby, approved subject to and contingent upon the availability of funds as indicated in the preamble hereto.

BE IT FURTHER RESOLVED that the annual budget in the sum of \$2,654,736 for Fiscal Year 2001 be, and is hereby, approved for the operation of food service programs for purposes authorized and approved by the York County School Board subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that the Fiscal Year 2001 Annual Budget for the County of York be, and is hereby, adopted as proposed on this date.

BE IT STILL FURTHER RESOLVED that the following annual appropriations for Fiscal Year 2001 be, and are hereby, made in the General Fund for the following functions:

Functions

General Administration	1,369,309
Judicial Administration	1,677,279
Public Safety	13,489,420
Environmental & Development Services	2,923,017
Financial & Management Services	5,336,346
Education & Educational Services	33,966,124
Human Services	2,018,029
General Services	3,958,810
Community Services	1,990,721
Capital Outlay	4,052,566
Non-Departmental	2,754,145
Total General Fund	<u>73,535,766</u>

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer the appropriations included in the General Fund Non-Departmental function for the allocation of the market adjustment and benefits to the personnel services category in the various General Fund functions.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of one-half (1/2) of the actual meals tax collections to the Water and Sewer Extension and Stormwater Maintenance Funds be, and is hereby, adjusted in the General Fund to effect the funding for County water, sewer and stormwater projects.

BE IT STILL FURTHER RESOLVED that the appropriation of the transfer of an amount equal to actual revenues received as a result of the three percent (3%) increase in the Transient Occupancy Tax rate to the Tourism Fund be, and is hereby, adjusted in the General Fund to effect the funding for tourism and travel related activities.

BE IT STILL FURTHER RESOLVED that the \$33,966,124 appropriated above from the General Fund for Education and Educational Services, includes \$26,789,800 for the local contribution to the School Division for support of the School operating budget, and of this amount \$25,930,450 is appropriated as a non-categorical appropriation to be allocated among the various school operating categories as the School Board deems necessary, and \$859,350 is appropriated to the Operation and Maintenance Category for continuation of the School Grounds Maintenance Agreement dated June 23, 1992, as adopted by the York County Board of Supervisors and the York County School Board.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,231,800 for Fiscal Year 2001 be, and is hereby, made in the Tourism Fund for tourism and travel related activities.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$356,135 for Fiscal Year 2001 be, and is hereby, made in the County Workers' Compensation Fund for the management and operation of the workers' compensation program.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$1,642,766 for Fiscal Year 2001 be, and is hereby, made in the Vehicle Maintenance Fund for the operation of the County's vehicle and equipment maintenance program.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$3,918,074 for Fiscal Year 2001 be, and is hereby, made in the Virginia Public Assistance Fund for the operation of the York/Poquoson Department of Social Services.

BE IT STILL FURTHER RESOLVED that the annual appropriation of the Virginia Public Assistance Fund be, and is hereby, increased if and when additional federal and/or state funds become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$28,598 for Fiscal Year 2001 be, and is hereby, made in the Yorktown Waterfront Fund for the operation and maintenance of the Yorktown Waterfront in accordance with the agreement made between the Yorktown Trustees and the Board of Supervisors.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$11,484 for Fiscal Year 2001 be, and is hereby, made in the Law Library.

BE IT STILL FURTHER RESOLVED that local revenue received directly by the School Operating Fund, estimated to be \$976,950 for Fiscal Year 2001 be, and is hereby, appropriated in the School Operating Fund subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$897,750 for Fiscal Year 2001 be, and is hereby, made in the Children's Services/Head Start Fund for the operation of the Head Start and the United States Department of Agriculture (USDA) Programs.

BE IT STILL FURTHER RESOLVED that the annual appropriations of the Head Start and USDA Programs be, and are hereby, increased if and when additional federal and State funds or local contributions become available. The County Administrator shall advise the Board of Supervisors in writing of all such actions. In addition, the County Administrator is, and shall be, authorized on a continuing basis to apply for subsequent grants and aid under the Head Start and USDA Programs and to do all things necessary to implement said grants.

BE IT FURTHER RESOLVED that local revenue received directly by the School Food Service Programs, estimated to be \$1,884,736 for Fiscal Year 2001 be, and is hereby, appropriated in the School Food Service Fund subject to and contingent upon the availability of funds.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$450,000 for Fiscal Year 2001 be, and is hereby, made in the Schools Workers' Compensation Fund for the management and operation of the workers' compensation program.

BE IT STILL FURTHER RESOLVED that an annual appropriation in the sum of \$2,353,000 for Fiscal Year 2001 be, and is hereby, made in the School Construction Fund for school capital maintenance and technology projects.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$2,559,000 for Fiscal Year 2001 be, and is hereby, made in the Capital Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$208,536 for Fiscal Year 2001 be, and is hereby, made in the Fire and Rescue Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$5,339,334 for Fiscal Year 2001 be, and is hereby, made in the School Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the annual appropriation in the sum of \$545,985 for Fiscal Year 2001 be, and is hereby, made in the Public Facilities Debt Service Fund.

BE IT STILL FURTHER RESOLVED that the following appropriations for Fiscal Year 2001 be, and are hereby, made in the Sanitary District and Enterprise Funds:

Funds:

Sanitary District No. 1 Fund	85,300
Upper County Utility Fund	22,500
Solid Waste Fund	3,571,525
Water Utility Fund	371,772
Sewer Utility Fund	3,750,125
Stormwater Management Fund	360,000
Sanitary District No. 2 Fund	450,000
Water and Sewer Extension Fund	4,922,551

BE IT STILL FURTHER RESOLVED that the County Treasurer, upon receipt of a written order from the County Administrator, is authorized to advance moneys between the several County funds under her custody provided, however, that the total advanced to any particular fund, plus the amount of moneys disbursed from that fund, does not exceed the annual appropriation of said fund.

BE IT STILL FURTHER RESOLVED that, upon receipt of a written request from the York County Library Board, the County Administrator shall be, and is hereby, authorized to do all things necessary to apply for federal and state library aid and in addition, the annual appropriation for library operations be, and is hereby, increased for all funds received under this program in accordance with the recommendations of the York County Library Board.

BE IT STILL FURTHER RESOLVED that, upon receipt of a written notification of a grant award by various state and federal agencies not to exceed \$30,000, the County Administrator shall be, and is hereby, authorized to accept and to execute grant agreements, unless the terms of the grant require specific actions by the Board and to give such assurances as may be required by the grant agreement, to be approved as to form by the County Attorney, and in addition, the grant funding awarded shall be, and is hereby, appropriated under these programs to the appropriate functional area.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to accept funding under the Job Training Partnership Act and/or Workforce Investment Act, execute any necessary grant agreements or contract, to implement a 2000 York County Summer Youth Employment Training Program, subject to approval of all agreements or contracts as to form by the County Attorney, and in addition, all funds received under this program shall be, and are hereby, appropriated in the General Fund for the purposes referenced.

BE IT STILL FURTHER RESOLVED that additional funds received from the federal or state Drug Asset Revenue Sharing Programs be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the federal and state governments.

BE IT STILL FURTHER RESOLVED that additional funds received from contributions for the Safety Town Program, Beautification Projects, the Youth Commission, the Zweibrucken Exchange Program, the K-9 Unit of the York County Sheriff's Office, or the York County DARE Program be, and are hereby, appropriated in the General Fund for the purposes established by each program.

BE IT STILL FURTHER RESOLVED that additional funds received from donations from the York County Fire & Rescue Volunteers be, and are hereby, appropriated in the General Fund for the purpose of supporting programs of the Department of Fire and Life Safety.

BE IT STILL FURTHER RESOLVED that additional funds received from the State Department of Environmental Quality for the Litter Control Program be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

BE IT STILL FURTHER RESOLVED that additional funds received from the State Department of Emergency Services for the emergency management program be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

BE IT STILL FURTHER RESOLVED that additional funds received from the Virginia Juvenile Crime Control Act (VJCCA) for juvenile correction programs be, and are hereby, appropriated in the General Fund to be expended in accordance with guidelines as established by the state government.

BE IT STILL FURTHER RESOLVED that the annual contributions that are in excess of \$30,000, which are hereby appropriated, shall be disbursed on a semiannual basis with the amount disbursed not to exceed one half of the total appropriation. Contributions to the York County School Board and the York/Poquoson Department of Social Services are exempt from this limitation. All other exceptions must be approved by the Board of Supervisors. In addition, the County Administrator may require written reports on how the previous allocation(s) was/were spent before any future disbursements are made.

BE IT STILL FURTHER RESOLVED that the County Administrator be, and is hereby, authorized to transfer funds within appropriation functions. These transfers may be made to allow the disbursement of funds for unanticipated costs incurred in daily County operations and any such transfer may not result in a change in the total appropriated for personnel or non-personnel costs within the function.

BE IT STILL FURTHER RESOLVED that the County Administrator, Director of Financial and Management Services and Chief of Budget and Financial Reporting be, and are hereby, the authorized signers for the General Administration petty cash account available to allow for emergency purchases necessary in daily County operations.

On roll call the vote was:

Yea: (5) Burgett, Rapp, Noll, Wiggins, Zaremba
Nay: (0)

Mrs. Noll moved the adoption of proposed Ordinance No. 00-3 that reads:

AN ORDINANCE TO IMPOSE TAX LEVIES UPON TANGIBLE PERSONAL PROPERTY, UPON MACHINERY AND TOOLS, UPON MOBILE HOMES, AND UPON REAL ESTATE FOR THE CALENDAR YEAR 2000, AND TO PRORATE TAXES ON MOBILE HOMES

April 4, 2000

WHEREAS, it is necessary for the Board of Supervisors to establish real estate and personal property tax levies for the County of York for calendar year 2000 beginning January 1, 2000, and ending December 31, 2000; and

WHEREAS, the Board has duly advertised and held a public hearing on the subject tax levies;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the 4th day of April, 2000, that the following County tax levies be, and they hereby are, imposed for the calendar year 2000:

	<u>Class of Property</u>	<u>Rate Per \$100 of Assessed Valuation</u>
1.	Real Estate	.86
2.	Tangible Personal Property	4.00
3.	Machinery and Tools	4.00
4.	Vehicles without motive power, used or designed to be used as manufactured homes as defined in Section 36-85.3 of the Code of Virginia	.86
5.	Boats or watercraft weighing five tons or more	1.00

BE IT FURTHER ORDAINED that if a mobile home is delivered or moved to York County after January one of any year and used as a place of full-time residence by any person, the Commissioner of Revenue shall assess and quarterly prorate any property taxes which would have been collectible had such mobile home been situated within York County on January one of that year.

On roll call the vote was:

Yea: (5) Rapp, Noll, Wiggins, Burgett, Zarembo
Nay: (0)

DESIGNATION OF REAL PROPERTY TAX FOR SCHOOL PURPOSES

Mr. Wiggins moved the adoption of proposed Resolution R00-34 that reads:

A RESOLUTION TO DESIGNATE A PORTION OF THE REAL PROPERTY TAX FOR SCHOOL PURPOSES

WHEREAS, Public Law 874 enacted by the 81st Congress, and codified in 20 U.S.C. Sections 236 to 241-1 and 242 to 244 (hereinafter "the Act"), provides for federal financial assistance to local educational agencies in areas affected by federal activities; and

WHEREAS, approximately half the land area of York County is controlled by the federal government, part of which entitles the York County School Division to financial assistance under Section 2 of the Act, as administered pursuant to U. S. Department of Education regulations governing distribution of financial aid authorized by the Act, 34 CFR Part 222, Subpart J; and

WHEREAS, the York County School Division is a fiscally dependent local education agency under these U. S. Department of Education regulations; and

WHEREAS, 34 CFR Section 222.3, Definitions, provides that for a fiscally dependent local education agency, the local real property tax rate for school purposes can be defined as "that portion of a local real property tax rate designated by the general government for school purposes"; and

WHEREAS, the York County Board of Supervisors finds it to be in the best interests of the citizens of York County to designate a portion of the local real property tax rate for school purposes in conformance with 34 CFR Section 222.3;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of April, 2000 that, for Fiscal Year 2001, a portion of the York County, Virginia, local real property tax rate equal to sixty-five and five tenths cents (\$.655) per \$100 of valuation be, and is hereby, designated for school purposes as provided in 34 CFR Section 222.3.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Burgett, Rapp, Zaremba
Nay: (0)

CLOSED MEETING. At 9:18 p.m. Mr. Burgett moved that the meeting be convened in Closed Meeting pursuant to Section 2.1-344(a)(1) of the Code of Virginia pertaining to the performance and employment of specific County employees.

On roll call the vote was:

Yea: (5) Wiggins, Burgett, Rapp, Noll, Zaremba
Nay: (0)

Meeting Reconvened. At 10:15 p.m. the meeting was reconvened in open session by order of the Chair.

Miss Rapp moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM
OF INFORMATION ACT REGARDING MEETING IN CLOSED SES-
SION

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 4th day of April, 2000, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Burgett, Rapp, Noll, Wiggins, Zaremba
Nay: (0)

At this time the Board briefly discussed the future water supply for the County and asked for an update on the current status of the Presidential Park application.

Meeting Adjourned. At 10:30 p.m. Chairman Zaremba declared the meeting adjourned sine die.

Daniel M. Stuck, Clerk
York County Board of Supervisors

Walter C. Zaremba, Chairman
York County Board of Supervisors